

**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rule-making process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least 30 days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than 30 days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the 90-day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than 30 days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

## Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 1—Wildlife Code: Organization

### PROPOSED AMENDMENT

**3 CSR 10-1.010 Organization and Methods of Operation.** The department proposes to amend section (2).

*PURPOSE: State departments are required by sections 536.023(3) and 252.002, RSMo to provide descriptions of their organizations. This amendment reflects the organizational change of converting to division status the sections of private land services, natural history and human resources—all authorized by the Conservation Commission.*

(2) The commission appoints a director who serves as the administrative officer of the Department of Conservation. The director appoints other employees and is assisted by a deputy director with programs and activities carried out by the divisions of fisheries, wildlife, forestry, protection, design and development, outreach and education, administrative services, *[and by the sections of]* private land services, natural history and human resources. An assistant to director provides leadership for special projects and initiatives as assigned by the director; notably legislative liaison, partnerships with other entities, etc.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 28, 1974, effective July 8, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 18, 2000.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, P.O. Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 110—Missouri Dental Board Chapter 2—General Rules

### PROPOSED RULE

#### 4 CSR 110-2.001 Definitions

*PURPOSE: This rule provides definitions for specific terms used throughout the rules.*

(1) "Dentist"—one who is currently licensed to practice as a dentist in Missouri.

(2) "Hygienist"—one who is currently licensed to practice as a dental hygienist in Missouri.

(3) "Direct supervision"—a level of supervision in which the dentist has authorized the procedure for a patient of record, remains in the treatment facility while the procedure is performed and evaluates the procedure prior to patient dismissal.

(4) "Indirect supervision"—a level of supervision in which the dentist has authorized the procedure for a patient of record and remains in the treatment facility while the procedure is performed.

(5) "General supervision"—a level of supervision in which the dentist has authorized the procedure for a patient of record and which does not require the physical presence of the dentist in the treatment facility during the performance of the procedure. The patient must be informed that the dentist is not in the treatment facility. The authorization shall be written in the patient's record and is valid from the date of the most recent examination for a maximum of twelve (12) months. The authorization is not renewable without an examination of the patient by the dentist.

(6) "Patient of record"—one for whom the dentist has obtained a relevant history, performed an examination and evaluated the condition to be treated.

*AUTHORITY:* sections 332.031, 332.091 and 332.311, RSMo Supp. 1999. Original rule filed Jan. 28, 2000.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Dental Board, Sharlene Rimiller, Executive Director, P.O. Box 1367, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

#### Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

##### Division 110—Missouri Dental Board Chapter 2—General Rules

#### PROPOSED RESCISSION

**4 CSR 110-2.130 Dental Hygienists.** This rule defined the degree of supervision and specified those functions a dentist could and could not delegate to his/her registered or currently licensed dental hygienist as provided in sections 332.031.1, 332.091 and 332.311, RSMo and the related responsibility of the dentist.

*PURPOSE:* This rule as currently written is unclear. This rule is being rescinded and replaced by a new rule.

*AUTHORITY:* section 332.031, RSMo 1986. Original rule filed Dec. 12, 1975, effective Jan. 12, 1976. Amended: Filed March 8, 1978, effective June 11, 1978. Rescinded and readopted: Filed April 14, 1982, effective Oct. 11, 1982. Rescinded and readopted: Filed Oct. 13, 1983, effective Jan. 13, 1984. Amended: Filed April 16, 1985, effective Aug. 26, 1985. Amended: Filed May 2, 1988, effective July 28, 1988. Amended: Filed May 4, 1992, effective Sept. 6, 1992. Rescinded: Filed Jan. 28, 2000.

*PUBLIC COST:* This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed rescission will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Dental Board, Sharlene Rimiller, Executive Director, P.O. Box 1367, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

#### Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

##### Division 110—Missouri Dental Board Chapter 2—General Rules

#### PROPOSED RULE

#### 4 CSR 110-2.130 Dental Hygienists

*PURPOSE:* This rule specifies the level of supervision for and the procedures that a dentist may and may not delegate to a hygienist.

(1) A hygienist may be employed by any person or entity so long as the hygienist is working under the supervision of a dentist as set forth in section 332.311, RSMo and does not engage in the practice of dentistry as set forth in section 332.071, RSMo.

(2) The dentist is responsible for patient care. Nothing contained in the authority given the dentist by this rule to delegate the performance of certain procedures shall relieve the dentist from responsibility to the patient.

(3) A hygienist may perform the following procedures under general supervision:

- (A) Scaling and polishing teeth (prophylaxis);
- (B) Applying dental sealants;
- (C) Periodontal root planing, debridement and curettage;
- (D) Nonsurgical periodontal procedures;
- (E) All procedures delegable to a dental assistant or certified dental assistant, except the expanded functions in section (5) of this rule.

(4) A hygienist may perform the following procedures under indirect supervision:

- (A) Administering nitrous oxide analgesia, as outlined in section (8) of this rule;
- (B) Administering local anesthesia, as outlined in sections (9) and (10) of this rule;
- (C) Procedures deemed appropriate by a dentist as outlined in section 332.091, RSMo; and
- (D) All procedures allowed under general supervision as outlined in section (3) of this rule.

(5) A hygienist may perform the following procedures under direct supervision:

- (A) All procedures allowed under general supervision and indirect supervision as outlined in sections (3) and (4) of this rule; and
- (B) Expanded functions in 4 CSR 110-2.120 with proof of competency, with the exception of periodontal procedures as outlined in section (3) of this rule, made available to the board upon request. Neither a Missouri basic skills test nor certification in dental assisting is required for a dental hygienist to take expanded functions courses.

(6) A hygienist may not perform procedures considered the practice of dentistry as set forth in section 332.071, RSMo including, but not limited to, the following:

- (A) Diagnosis, including the interpretation of dental radiographs and treatment planning;
- (B) Cutting of tooth structure;
- (C) Surgical procedures on hard and soft tissues including, but not limited to, the removal of teeth and the cutting and suturing of soft tissues;
- (D) Prescription, injection and parenteral administration of drugs, with the exception of the administration of nitrous oxide analgesia or local anesthesia as outlined in sections (8), (9) and (10) of this rule; and
- (E) Final bending of an archwire prior to ligation.

(7) A hygienist may provide oral hygiene instructions or conduct oral screenings without a dentist being present. The hygienist shall refer the individual screened to a dentist for diagnosis.

- (8) A hygienist may administer nitrous oxide analgesia if s/he:
  - (A) Obtains proof of competency in a nitrous oxide analgesia course; and
  - (B) Obtains a nitrous oxide analgesia permit, issued by the board, upon submitting the following:

1. A completed application form provided by the board; and
2. A nonrefundable fee, payable to the Missouri Dental Board; and
3. A notarized copy of proof of competency.

(9) A hygienist may administer local anesthesia, which includes infiltration and block anesthesia, if s/he:

(A) Obtains proof of competency in a local anesthesia course or holds a Missouri Dental Board infiltration anesthesia permit issued prior to the effective date of this rule and obtains proof of competency in a local anesthesia course which includes block anesthesia; and

(B) Receives a local anesthesia permit, issued by the board, upon submitting the following:

1. A completed application form provided by the board; and
2. A nonrefundable fee, payable to the Missouri Dental Board; and
3. A notarized copy of proof of competency.

(10) A hygienist may administer only infiltration anesthesia if s/he currently holds a Missouri Dental Board infiltration anesthesia permit issued prior to the effective date of this rule.

(11) For purposes of this rule, proof of competency means documentation verifying completion of didactic and clinical training and passage of competency testing of that training from a dental, dental hygiene or dental assisting school accredited by the Commission on Dental Accreditation of the American Dental Association or a board-approved sponsor as defined in 4 CSR 110-2.240.

(12) The provisions of this rule are declared severable. If a court of competent jurisdiction holds any provision of this rule invalid, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction.

*AUTHORITY: section 332.031, 332.071, 332.091 and 332.311, RSMo Supp. 1999. Original rule filed Dec. 12, 1975, effective Jan. 12, 1976. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed Jan. 28, 2000.*

*PUBLIC COST: This proposed rule is estimated to cost state agencies or political subdivisions \$10,471.44 during FY99 and \$869.40 yearly thereafter for the life of the rule. See attached fiscal note.*

*PRIVATE COST: The proposed rule is estimated to cost private entities \$35,156.64 during FY99 and \$10,346.40 yearly thereafter for the life of the rule. See attached fiscal note.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Dental Board, Sharlene Rimiller, Executive Director, P.O. Box 1367, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

FISCAL NOTE  
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 4 - Department of Economic Development

Division: 110 - Missouri Dental Board

Chapter: 2 - General Rules

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 110-2.130 Dental Hygienists

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate	
Missouri Dental Board	FY99	\$10,471.44
Missouri Dental Board	FY00	\$ 869.40 *
	*Yearly for the Life of the Rule	

III. WORKSHEET

PERSONNEL SERVICES		
	FY99	FY00*
FTE'S	\$7,317.00	\$607.50
EXPENSE AND EQUIPMENT		
	FY99	FY00*
Printing	\$325.20	\$27.00
Postage	2,113.80	175.50
Supplies	715.44	59.40
TOTAL	\$3,154.44	\$261.90

IV. ASSUMPTIONS

Assumes that of the 2200 hygienists currently licensed, 75% of the 1,564 hygienists instate and 50% of the 636 hygienists outstate will apply for a local anesthesia permit during FY99. Assumes that of the estimated 180 hygienists obtaining initial licensure annually, 75% will apply for a local anesthesia permit during FY99 and for each year thereafter.

Assumes that of the 180 hygienists obtaining licensure annually, 45% will apply for a nitrous oxide analgesia permit. Based upon a review of the past two fiscal years, an average of 81 hygienists received a nitrous oxide analgesia permit.

1. PRINTING COSTS - \$352.20

Assumes a cost of \$ .15 per application printed:

FY99  $\$.15 \times 1626 = \$243.90$

FY00  $\$.15 \times 135 = \$ 20.25$

Assumes a cost of \$ .05 per letterhead printed:

FY99  $\$.05 \times 1626 = \$ 81.30$

FY00  $\$.05 \times 135 = \$ 6.75$

2. POSTAGE - \$2,289.30

Assumes a cost of \$.32 per application mailed:

FY99  $\$.32 \times 1626 = \$ 520.32$

FY00  $\$.32 \times 135 = \$ 43.20$

Assumes a cost of \$.98 per wall-hanging mailed:

FY99  $\$.98 \times 1626 = \$1,593.48$

FY00  $\$.98 \times 135 = \$ 132.30$

3. SUPPLIES - \$ 774.84

Assumes a cost of \$ .06 per 9" x 12" envelope (application mailing)

FY99  $\$.06 \times 1626 = \$ 97.56$

FY00  $\$.06 \times 135 = \$ 8.10$

Assumes a cost of \$ .38 for wall-hanging materials (paper, seals, envelope, cardboard)

FY99  $\$.38 \times 1626 = \$617.88$

FY00  $\$.38 \times 135 = \$ 51.30$

4. FTE COSTS - \$7,924.50

The calculation of the FTE hourly salary is based upon 2,080 hours per year.

CLERK-TYPIST II

The annual salary of a clerk typist II is \$23,404 (\$17,904 plus 30.72% fringe) divided by 2,080 for an hourly salary of \$11.25 divided by 60 minutes = \$.18 per minute.

FY99  $\$.18 \times 5 = \$.90 \times 1626 = \$1,463.40$

FY00  $\$.18 \times 5 = \$.90 \times 135 = \$ 121.50$

ACCOUNT CLERK II

The annual salary for an account clerk II is \$26,651 (\$20,388 plus 30.72% fringe) divided by 2,080 for an hourly salary of \$12.81 divided by 60 minutes = \$.21 per minute.

FY99  $\$.21 \times 5 = \$1.05 \times 1626 = \$1,707.30$

$$\text{FY00 } \$ .21 \times 5 = \$1.05 \times 135 = \$ 141.75$$

**LICENSURE TECHNICIAN I**

The annual salary of a .5 licensure technician I is \$11,184.40 (\$8,556 plus 30.72% fringe) divided by 1,040 for an hourly salary of \$10.75 divided by 60 minutes = \$.17 per minute.

$$\text{FY99 } \$ .17 \times 15 = \$2.55 \times 1626 = \$4,146.30$$

$$\text{FY00 } \$ .17 \times 15 = \$2.55 \times 135 = \$ 344.25$$

The FY00\* costs will recur annually over the life of the rule with no increases other than inflationary costs.

FISCAL NOTE  
PRIVATE ENTITY COST

I. RULE NUMBER

Title: 4 - Department of Economic Development

Division: 110 - Missouri Dental Board

Chapter: 2 - General Rules

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 110-2.130 Dental Hygienists

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:	
1626	Hygienists	FY99	\$35,156.64
135	Hygienists	FY00 *	\$10,346.40
		*Yearly for the Life of the Rule	

III. WORKSHEET

COST TYPE	NUMBER IN CLASS	AGGREGATE COST FY99	NUMBER IN CLASS	AGGREGATE COST FY00
Postage @ \$.32 x 2 = \$.64	1626	\$ 1,040.64	135	\$ 86.40
Notary @ \$2.50 x 2 = \$5.00	1626	8,130.00	135	675.00
Nitrous Oxide Analgesia Permit @\$10.00	810	8,100.00	81	8,100.00
Local Anesthesia Permit @ \$10.00	1626	16,260.00	135	1,350.00
Photocopy per page @\$.50 x 2 = \$1.00	1626	1,626.00	135	135.00
<b>TOTAL AGGREGATE COST PER YEAR</b>		<b>\$35,156.64</b>		<b>\$10,346.40</b>

## IV. ASSUMPTIONS

1. Assumes that of the 2200 hygienists currently licensed, 75% of the 1,564 hygienists instate and 50% of the 636 hygienists outstate will apply for a local anesthesia permit during FY99. Assumes that of the estimated 180 hygienists obtaining initial licensure annually, 75% will apply for a local anesthesia permit during FY99 and for each year thereafter.

CALCULATION:	1564 x .75 = 1173 x \$10.00 = \$11,730.00	FY99
	636 x .50 = 318 x \$10.00 = \$ 3,180.00	FY99
	180 x .75 = 135 x \$10.00 = \$ 1,350.00	FY99
	Total 1626	
	180 x .75 = 135 x \$10.00 = \$ 1,350.00	FY00

2. Assumes that of the 180 hygienists obtaining licensure annually, 45% will apply for a nitrous oxide analgesia permit. Based upon a review of the past two fiscal years, an average of 81 hygienists received a nitrous oxide analgesia permit.

CALCULATION:	180 x .45 = 81 x \$10.00 = \$8,100.00
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3. Assumes the applicant will incur postage costs for mailing the application to the board office including training documentation requiring two postage stamps.

CALCULATION:	\$.64 x 1626 = \$ 1,040.64	FY99
	\$.64 x 135 = \$ 86.40	FY00

4. Assumes the applicant will incur two notary costs at \$2.50 each to have the application notarized as well as the training document.

CALCULATION:	\$2.50 x 2 = \$5.00 x 1626 = \$8,130.00	FY99
	\$2.50 x 2 = \$5.00 x 135 = \$ 675.00	FY00

5. Assumes the applicant will incur two photocopying costs at \$.50 per page to submit their training documentation.

CALCULATION:	\$.50 x 2 = \$1.00 x 1626 = \$1,626.00	FY99
	\$.50 x 2 = \$1.00 x 135 = \$ 135.00	FY00

These costs will recur annually over the life of the rule with no increases other than inflationary costs.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 150—State Board of Registration for the Healing Arts**  
**Chapter 2—Licensing of Physicians and Surgeons**

**PROPOSED AMENDMENT**

**4 CSR 150-2.001 Definitions.** The board is proposing to amend section (4).

*PURPOSE:* The purpose of this amendment is to specify deadline date exceptions.

(4) The term “timely pay,” as used in section 334.100.2(4)(n), RSMo, shall mean any license renewal fee received by the board [within sixty (60) days of] prior to the [license renewal] licensure expiration date. Renewal forms postmarked by the post office February 1 or after will be considered delinquent, however, should January 31 fall on a Saturday, Sunday or legal holiday, renewal forms postmarked by the post office on the next business day will not be considered delinquent.

*AUTHORITY:* sections 334.045, **334.046**, 334.100 and 334.125, RSMo [Supp. 1995] Supp. 1999 and 334.090, RSMo 1994. Original rule filed Jan. 19, 1988, effective April 15, 1988. Amended: Filed April 15, 1996, effective Nov. 30, 1996. Amended: Filed Jan. 28, 2000.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 150—State Board of Registration for the Healing Arts**  
**Chapter 2—Licensing of Physicians and Surgeons**

**PROPOSED AMENDMENT**

**4 CSR 150-2.005 Examination Requirements for Permanent Licensure.** The board is proposing to delete section (6).

*PURPOSE:* The purpose of this amendment is to implement Senate Bill 141 of the 89th General Assembly.

[(6) The board may waive the provisions of section (4) of this rule if the applicant is American Specialty Board-certified, licensed to practice as a physician and surgeon in another state of the United States or the District of Columbia and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States or the District of Columbia. Prior to waiving the provisions of section (4) of this rule, the board may require the applicant to achieve a passing score on one (1) of the following: The American Specialty

Board’s certifying examination in the physician’s field of specialization, Part II of the FLEX or the Federation of State Medical Board’s Special Purpose Examination (SPEX). If the board waives the provisions of section (4) of this rule, then the license issued to the applicant may be limited or restricted to the applicant’s board specialty.]

*AUTHORITY:* sections 334.031, 334.040 and 334.125, RSMo [1986] Supp. 1999 and 334.043, RSMo 1994. Original rule filed Feb. 17, 1988, effective May 12, 1988. For interviewing history, please consult the State Code of Regulations. Amended: Filed Jan. 28, 2000.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Healing Arts, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 150—State Board of Registration for the Healing Arts**  
**Chapter 2—Licensing of Physicians and Surgeons**

**PROPOSED AMENDMENT**

**4 CSR 150-2.065 Temporary Licenses to Teach or Lecture in Certain Programs.** The board is proposing to amend subsection (2)(B).

*PURPOSE:* This amendment redefines an accredited hospital.

(2) As used in this rule, unless specifically provided otherwise, the term—

(B) Accredited [teaching] hospital shall mean a hospital located in Missouri [which is approved and accredited to teach graduate medical education by the accreditation counsel on graduate medical education of the AMA or the education committee of the AOA;] and licensed by the Missouri Department of Health—Bureau of Health Facility Regulation;

*AUTHORITY:* sections 334.046, [RSMo Supp. 1989] and 334.125, RSMo [1986] Supp. 1999. Original rule filed Jan. 19, 1988, effective April 15, 1988. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 28, 2000.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 150—State Board of Registration for the  
Healing Arts**

**Chapter 2—Licensing of Physicians and Surgeons**

**PROPOSED AMENDMENT**

**4 CSR 150-2.100 Licensing of International Medical Graduates—Reciprocity.** The board is proposing to delete section (2) and renumber the remaining section accordingly.

*PURPOSE:* This amendment implements SB141 of the 89th General Assembly.

*[(2) The board may waive the provisions of subsection (1)(D) of this rule if the applicant is American Specialty Board-certified, licensed to practice as a physician and surgeon in another state of the United States or the District of Columbia and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States or the District of Columbia. Prior to waiving the provisions of subsection (1)(D) of this rule, the board may require the applicant to achieve a passing score on one (1) of the following: The Appropriate Specialty Board's certifying examination in the physician's field of specialization, Component 2 of the FLEX before January 1, 1994, Step 3 of the USMLE or the Special Purpose Examination (SPEX). If the board waives the provisions of subsection (1)(D) of this rule, then the license issued to the applicant may be limited or restricted to the applicant's board specialty.]*

*[(3)] (2) As used in this rule, the term fifth pathway shall mean a candidate for licensure who has successfully completed four (4) years of medical education in Mexico and then completes a training program in the United States at a medical college approved and accredited by the AMA or its Liaison Committee on Medical Education or an osteopathic college approved and accredited by the American Osteopathic Association (AOA) in lieu of completing a year of internship and social service work in Mexico.*

(A) A fifth pathway candidate may be eligible for licensure to practice the healing arts in this state if s/he satisfies the following requirements:

1. An applicant must have completed all of the prescribed curriculum at his/her school of medicine and the curriculum in this state and the applicant must have completed training at a medical school whose curriculum has been approved by the proper Mexican government agency;

2. An applicant must meet the academic requirements for licensure in Mexico; and

3. An applicant must be either American Specialty Board-eligible or have completed three (3) years of postgraduate training in one (1) recognized specialty area of medicine in a program which is approved and accredited to teach postgraduate medical education by the accreditation council on graduate medical education of the AMA or the education committee of the AOA.

*AUTHORITY:* sections 334.031, 334.040 and 334.125, RSMo [1986] Supp. 1999 and 334.035, RSMo 1994. Original rule filed July 12, 1984, effective Jan. 1, 1987. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 28, 2000.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Healing Arts, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEPARTMENT**

**Division 150—State Board of Registration for the  
Healing Arts**

**Chapter 3—Licensing of Physical Therapists and  
Physical Therapist Assistants**

**PROPOSED AMENDMENT**

**4 CSR 150-3.203 Acceptable Continuing Education.** The board is proposing to amend section (5).

*PURPOSE:* This amendment corrects typographical errors.

(5) Acceptable continuing education is automatically approved if such course or activity is obtained as follows:

(B) Academic coursework completed at a regionally accredited college or university in subject matter directly related to the practice of physical therapy, as defined in section 334.500(4), RSMo in which the licensee earns a grade of a "C" or above. For the purpose of this subsection each semester credit hour shall be acceptable as ten (10) hours of continuing education, each trimester credit hour shall be acceptable as eight (8) hours of continuing education, one-quarter credit hour shall be acceptable as seven (7) hours of continuing education.

1. An official transcript, from a regionally accredited college or university, indicating successful completion of academic coursework in appropriate subject matter related to practice of physical therapy as specified in section *[(3)] (4)* of this rule, specifically reporting that the licensee earned a grade of at least a "C" for that course, and the number of credit hours awarded for the course shall be the document(s) necessary as proof of compliance if audited by the board to submit proof.

(E) Professional program presentations presented by the licensee in subject matter directly related to the practice of physical therapy which meets the criteria specified in section *[(3)] (4)* of this rule as delivered in a lecture and/or demonstration format other than academic curricula.

1. The maximum continuing education hours for presentation activities per licensee shall not exceed fifteen (15) hours during any two (2)-year reporting period.

2. The delivering of a presentation for the first time or a workshop or course shall be creditable for three (3) hours of continuing education for each hour of actual presentation time (this ratio reflects the preparation time required in delivering an initial presentation).

3. The delivering of a presentation, workshop or course for a second time shall be creditable for one (1) hour of continuing education for each hour of actual presentation time (this ratio reflects the lesser degree of preparation time required for the second presentation of a workshop or course).

4. The delivering of a presentation, workshop or course more than two (2) times, in any two (2)-year reporting period, is not acceptable for continuing education hours (this reflects the minimal

preparation time necessary for multiple presentations of the same workshop or course).

5. A written announcement of a presentation schedule and/or brochure specifically identifying the licensee as *[a or]* the presenter of a course/seminar/program which meets the criteria specified in section *[(3)] (4)* of this rule and section 334.500(4), RSMo shall be the document(s) necessary as proof of compliance if audited by the board to submit proof.

(H) Publication of a chapter in a peer-reviewed physical therapy or medical publication shall be creditable for five (5) hours of continuing education.

1. A copy of the chapter as published in a peer-reviewed physical therapy or medical publication specifically identifying the licensee as the author of such chapter, as well as a copy of the cover of the publication, shall be the document(s) necessary as proof of compliance if audited by the board to submit proof

(I) Videotaped presentation reviews which identify a specific sponsor, sponsoring group or agency, provided that the videotaped presentation meets the criteria specified in section *[(3)] (4)* of this rule.

1. A certificate of completion of a videotaped presentation review specifically identifying the licensee as well as the specific sponsor, along with the name of the facilitator or program official present during the review, as well as all others in attendance during the review, provided that *[the]* such presentation meets the criteria specified in section *[(3)] (4)* of this rule and section 334.500(4), RSMo, shall be the document(s) necessary as proof of compliance if audited by the board to submit proof.

(J) Home study courses, which meet the criteria specified in section *[(3)] (4)* of this rule and section 334.500(4), RSMo, which result in the awarding of a certificate of completion, shall be creditable for the number of hours specified on the certificate of completion.

1. A certificate of completion verifying the completion of a home study course meeting the criteria specified in section *[(3)] (4)* of this rule and section 334.500(4), RSMo, specifically identifying the licensee and the continuing education hours such course is creditable for, shall be the document(s) necessary as proof of compliance if audited by the board to submit proof.

(L) Initial CPR *[(Cardiac Pulmonary Resuscitation)] (Cardiopulmonary Resuscitation)* certification or recertification shall be creditable for each hour of actual attendance in certification or recertification training.

1. A copy of a CPR certification or recertification certificate, specifically identifying the licensee as the person awarded such certification or recertification, shall be the document(s) necessary as proof of compliance if audited by the board to submit proof. This credit for continuing education hours shall only be applicable once during each two (2)-year reporting period.

*AUTHORITY: sections 334.125 and 334.507, RSMo Supp. [1998] 1999. Original rule filed May 14, 1999, effective Dec. 30, 1999. Amended: Filed Jan. 28, 2000.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts—Advisory Commission for Physical Therapists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 150—State Board of Registration for the Healing Arts**  
**Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

**PROPOSED AMENDMENT**

**4 CSR 150-4.051 Definitions.** The board is proposing to amend subsection (1)(D).

*PURPOSE: This rule amends the definition of “hour of continuing education.”*

(1) For the purpose of this chapter, the following definitions shall apply:

(D) Hour of continuing education—means a **minimum of fifty (50) minutes and up to a maximum of sixty (60) minutes** spent in actual attendance at and/or completion of an approved continuing education activity; **continuing education units (CEUs) are rounded down to the nearest hour;** and

*AUTHORITY: sections 345.030 and 345.051, RSMo Supp. [1998] 1999. Original rule filed Nov. 17, 1997, effective June 30, 1998. Amended: Filed Nov. 16, 1998, effective July 30, 1999. Amended: Filed Jan. 28, 2000.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Healing Arts, Tina Steinman, Executive Director, P.O. Box 4, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 150—State Board of Registration for the Healing Arts**  
**Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

**PROPOSED AMENDMENT**

**4 CSR 150-4.055 Applicants for Provisional Licensure.** The board is proposing to amend the original purpose statement and sections (4), (6) and (8).

*PURPOSE: This amendment changes the text of this rule to be consistent with legislative amendments made to Chapter 345, RSMo effective with the passage of House Bill 1601 of the 89th General Assembly.*

*PURPOSE: This rule provides the requirements for speech-language pathology and [clinical] audiology provisional licensure pursuant to section 345.022, RSMo.*

(4) The fee for provisional licensure shall be an appropriate fee, to be established by the board. The fee shall be sent in the form of a bank draft, post office money order or express money order payable on a United States *[B]*bank made payable to the *[Missouri*

**Board of Healing Arts/ State Board of Registration for the Healing Arts.** Personal and/or corporate checks will not be accepted. No application will be processed until the licensure fee is received.

(6) Applicants for provisional licensure must submit the following documentation:

(B) Proof of passage of the National Examination in Speech-Language Pathology and/or *[Clinical]* Audiology. Examination scores must be submitted to the board directly from the Educational Testing Service. The passing score shall remain consistent with the passing score set by the American Speech-Language-Hearing Association, on the date of licensure application;

(8) Applicants seeking provisional licensure in both speech-language pathology and *[clinical]* audiology shall meet the qualifications and submit the required documentation as stated above for both professions.

**AUTHORITY:** sections 345.022 and 345.030, RSMo [Supp. 1995] Supp. 1999. Original rule filed July 12, 1996, effective Jan. 30, 1997. Amended: Filed Jan. 28, 2000.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than \$500 in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Registration for the Healing Arts, P.O. Box 4, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

#### Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

##### Division 150—State Board of Registration for the Healing Arts

##### Chapter 4—Licensing of Speech-Language Pathologists and Audiologists

#### PROPOSED AMENDMENT

**4 CSR 150-4.060 Fees.** The board is proposing to amend sections (1)–(3), add a new section (4), and renumber the remaining sections accordingly.

**PURPOSE:** This amendment changes the renewal period from annual to biennial for Speech-Language Pathologists and Audiologists, aides and provisional licensees and establishes the fee for Speech-Language Pathology Assistants' registration, renewal, and reinstatement.

(1) The following fees are established by the Advisory Commission for Speech-Language Pathologist and *[Clinical]* Audiologists and are payable in the form of a cashier's check or money order:

(B) **Biennial Licensure Renewal Fee—Odd Numbered Years** (personal checks acceptable) [~~\$25.00~~] **\$50.00**

(2) The following fees apply to speech-language pathology and *[clinical]* audiology aides:

(A) **[Registered] Registration Application Processing Fee** \$25.00

(B) **Biennial Registration Renewal Fee—Odd Numbered Years** (personal checks acceptable) [~~\$10.00~~] **\$20.00**

(3) The following fees apply to speech-language pathology and *[clinical]* audiology provisional licensees:

(4) **The following fees apply to speech-language pathology assistants:**

(A) <b>Registration Application Processing Fee</b>	<b>\$25.00</b>
(B) <b>Biennial Registration Renewal Fee—Odd Numbered Years</b> (personal checks acceptable)	<b>\$20.00</b>
(C) <b>Reinstatement Fee</b>	<b>\$10.00</b>

[[4]] (5) All fees are nonrefundable.

[[5]] (6) The provisions of this rule are declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

**AUTHORITY:** sections 345.015, 345.022, 345.030, [354.051,] 345.045, [RSMo 1994] 345.051, and 345.055, RSMo [1997] Supp. 1999. Original rule filed July 1, 1988, effective Oct. 27, 1988. Amended: Filed April 2, 1992, effective Dec. 3, 1992. Amended: July 12, 1996, effective Jan. 30, 1997. Amended: Filed Nov. 17, 1997, effective June 30, 1998. Amended: Filed Jan. 28, 2000.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than \$500 in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Healing Arts, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

#### Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

##### Division 150—State Board of Registration for the Healing Arts

##### Chapter 4—Licensing of Speech-Language Pathologists and Audiologists

#### PROPOSED AMENDMENT

**4 CSR 150-4.105 Educational Requirements.** The board is proposing to amend the original purpose statement, amend section (1) and add new subsections (1)(A), (1)(B), and (1)(C).

**PURPOSE:** This amendment deletes the word "clinical" as it precedes the word "audiology" in the original purpose statement; amends the terminology in section (1) with the addition of subsections (A)–(C). This amendment is consistent with amendments to Chapter 345, RSMo effective with the passage of House Bill 1601 of the 89th General Assembly.

**PURPOSE:** This rule details the educational requirements for speech-language pathology *[clinical]* and audiology aides.

(1) To be eligible for registration as an audiology aide or speech-language pathology aide, each applicant must: [– 1) *be of good*

moral character and 2) hold a high school diploma or equivalent.]

(A) Be at least eighteen (18) years of age;

(B) Furnish evidence of good moral character;

(C) Furnish evidence of educational qualifications which shall be at a minimum:

1. Certification of graduation from an accredited high school or its equivalent; and

2. Proposed plan for on-the-job training as will be provided by a licensed speech-language pathologist or licensed audiologist (respective of registration requested) specifying employment dates, duties and responsibilities.

*AUTHORITY:* sections 345.015 and 345.030, RSMo [1986] Supp. 1999. Original rule filed April 2, 1992, effective Dec. 3, 1992. Amended: Filed Jan. 28, 2000.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts—Advisory Commission for Speech-Language Pathologists and Audiologists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

#### Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

##### Division 150—State Board of Registration for the Healing Arts

##### Chapter 4—Licensing of Speech-Language Pathologists and Audiologists

#### PROPOSED RESCISSION

**4 CSR 150-4.110 Supervision Requirements.** This rule detailed the supervision requirements for speech-language pathology/clinical audiology aides.

*PURPOSE:* The board is proposing to rescind this rule and propose a new rule that more clearly details the supervision requirements for speech-language pathology and audiology aides.

*AUTHORITY:* section 345.015, RSMo 1986. Original rule filed April 2, 1992, effective Dec. 3, 1992. Rescinded: Filed Jan. 28, 2000.

*PUBLIC COST:* This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed rescission will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Healing Arts—Advisory Commission for Speech-Language Pathologists and Audiologists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

#### Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

##### Division 150—State Board of Registration for the Healing Arts

##### Chapter 4—Licensing of Speech-Language Pathologists and Audiologists

#### PROPOSED RULE

#### 4 CSR 150-4.110 Supervision Requirements

*PURPOSE:* This rule details the supervision requirements for speech-language pathology and audiology aides.

(1) All applications for registration to practice as a speech-language pathology aide must include a statement from a speech-language pathologist, holding current unrestricted licensure to practice in the state of Missouri pursuant to section 345.015(10), RSMo, acknowledging willingness to provide on-the-job training and acceptance of the legal and ethical responsibilities for supervising the aide.

(2) All applications for registration to practice as an audiology aide, must include a statement from an audiologist holding current unrestricted licensure to practice in the state of Missouri pursuant to section 345.015(1), RSMo acknowledging willingness to provide on the job training and acceptance of the legal and ethical responsibilities for supervising the aide.

(3) The supervising speech-language pathologist and/or audiologist is responsible for all of the aide's activities.

(A) It is the responsibility of the supervising speech-language pathologist or supervising audiologist (respective of aide's registration) to protect the interests of all patients and/or clients at all times during which the aide is practicing and/or interacting with patients and/or clients; this responsibility includes the supervisor's and the aide's compliance with the ethical standards of practice as specified in rule 4 CSR 150-4.080.

(B) The supervising speech-language pathologist or supervising audiologist (respective of aide's registration) retains, at all times, the primary role in determining the competency level of the aide;

(C) When the speech-language pathology aide or audiology aide is involved in diagnostic and/or intervention activities, the aide must be directly supervised. Direct supervision is defined as on-site, in view of the aide and patient/client.

(D) It is the responsibility of the supervising speech-language pathologist or supervising audiologist (respective of aide's registration) to determine the amount of indirect supervision to be provided to the aide based on the following factors:

1. The skill and experience of the aide;
2. The skill and expertise required for the task assigned;
3. The individual needs of the patient and/or client receiving services;
4. The setting in which the delivery of services is/will be performed.

(E) The supervising speech-language pathologist or supervising audiologist (respective of aide's registration) shall ensure that the scope and intensity of training for the aide encompasses all activities assigned to the aide.

(F) The supervising speech-language pathologist or supervising audiologist (respective of aide's registration) shall provide continual opportunities to ensure that the aide's practices are current and his/her skills are maintained.

(G) The supervising speech-language pathologist or supervising audiologist (respective of aide's registration) shall provide the aide with information specifying the aide's role(s) and function(s).

(H) The number of aides supervised by a speech-language pathologist and/or audiologist shall be consistent with the delivery of appropriate quality services.

*AUTHORITY: sections 345.015 and 345.030, RSMo Supp. 1999. Original rule filed April 2, 1992, effective Dec. 3, 1992. Rescinded and readopted: Filed Jan. 28, 2000.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Healing Arts—Advisory Commission for Speech-Language Pathologists and Audiologists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

#### **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

##### **Division 150—State Board of Registration for the Healing Arts**

##### **Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

#### **PROPOSED RESCISSION**

**4 CSR 150-4.115 Scope of Practice.** This rule detailed the scope of practice for speech-language pathology/clinical audiology aides.

*PURPOSE: The board is proposing to rescind this rule and propose new language that more clearly details the scope of practice for speech-language pathology and audiology aides.*

*AUTHORITY: section 345.015, RSMo 1986. Original rule filed April 2, 1992, effective Dec. 3, 1992. Rescinded: Filed Jan. 28, 2000.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Healing Arts—Advisory Commission for Speech-Language Pathologists and Audiologists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

#### **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

##### **Division 150—State Board of Registration for the Healing Arts**

##### **Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

#### **PROPOSED RULE**

**4 CSR 150-4.115 Scope of Practice**

*PURPOSE: This rule details the scope of practice for speech-language pathology and audiology aides.*

(1) The supervising speech-language pathologist shall assign all duties of the speech-language pathology aide.

(2) The supervising audiologist shall assign all duties of the audiology aide.

(3) Speech-language pathology aides may only engage in tasks that are planned, delegated, and supervised by the supervising speech-language pathologist.

(4) Audiology aides may only engage in tasks that are planned, delegated, and supervised by the supervising audiologist.

(5) The tasks performed by a speech-language pathology or audiology aide under direct supervision may include orienting the patients and/or clients to the clinical environment.

(6) The tasks performed by a speech-language pathology or audiology aide under indirect supervision may include, but not be all inclusive of the following:

(A) Setting up the treatment area;

(B) Providing checks and service maintenance to equipment;

(C) Performing clerical duties;

(D) Transporting patients and/or clients to and from treatment areas;

(E) Constructing and modifying clinical materials as directed and specified by the supervising speech-language pathologist or supervising audiologist.

(7) Aides shall not be allowed to perform the following tasks:

(A) Interpret observations and/or data;

(B) Make diagnostic statements;

(C) Determine case selections;

(D) Disclose clinical information (data or impressions relative to patient and/or client performance, behavior, or progress) either verbally or in writing to anyone other than the supervising speech-language pathologist or supervising audiologist;

(E) Compose or present clinical reports, verbally or in writing to anyone other than the supervising speech-language pathologist or supervising audiologist;

(F) Refer a patient and/or client to other professionals, agencies, or individuals for services;

(G) Use a title other than speech-language pathology aide or audiology aide pursuant to respective registration issued by the board;

(H) Sign any patient and/or client documents/documentation;

(I) Discharge a patient and/or client from services;

(J) Administer or interpret hearing screenings or diagnostic tests;

(K) Fit or dispense hearing instruments;

(L) Make ear impressions;

(M) Perform any procedure for which the aide is not qualified, or has not been adequately trained, or both;

(N) Provide counseling to a patient and/or client or the patient's and/or client's family; or

(O) Write, develop or modify treatment plans.

*AUTHORITY: sections 345.015 and 345.030, RSMo Supp. 1999. Original rule filed April 2, 1992, effective Dec. 3, 1992. Rescinded and readopted: Filed Jan. 28, 2000.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Healing Arts—Advisory Commission for Speech-Language Pathologists and Audiologists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

**Division 150—State Board of Registration for the Healing Arts**

**Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

**PROPOSED RESCISSION**

**4 CSR 150-4.120 Procedural Process for Registration.** This rule detailed the registration process for speech-language pathology/clinical audiology aides.

*PURPOSE: The board is proposing to rescind this rule and propose a new rule that more clearly details the registration process for speech-language pathology and audiology aides.*

*AUTHORITY: section 345.015, RSMo 1986. Original rule filed April 2, 1992, effective Dec. 3, 1992. Rescinded: Filed Jan. 28, 2000.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Healing Arts—Advisory Commission for Speech-Language Pathologists and Audiologists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, Missouri 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

**Division 150—State Board of Registration for the Healing Arts**

**Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

**PROPOSED RULE**

**4 CSR 150-4.120 Procedural Process for Registration**

*PURPOSE: This rule details the registration process for speech-language pathology and audiology aides.*

(1) Application for registration to practice as a speech-language pathology and/or audiology aide shall be made on forms obtained from the Missouri State Board of Registration for the Healing Arts, P.O. Box 4, Jefferson City, MO 65102.

(2) An application will not be considered as officially submitted unless completely filled out, properly attested and the application fee has been submitted and received by the board. The application

fee must be submitted in the form of a cashier's check or money order payable to the State Board of Registration for the Healing Arts, drawn on a United States bank or firm. The following documents are necessary to be filed with the board in order to deem the application complete:

(A) All applicants shall submit a copy of their birth certificate confirming their date of birth;

(B) All applicants shall submit a copy of their high school graduation diploma, or a certificate confirming their equivalency thereof;

(C) All applicants shall provide, on a form provided by the board, a proposed plan of on-the-job training, signed by the supervising licensed speech-language pathologist as specified in section 345.015 (10), RSMo; or licensed audiologist as specified in section 345.015(1), RSMo (respective of type of registration requested) which shall specify employment dates, employment title, duties and responsibilities;

(D) All applicants shall provide, on a form provided by the board, a proposed plan for active employment or verification of active employment and supervision by a supervising licensed speech-language pathologist or audiologist (respective of type of registration requested) in a setting in which direct and indirect supervision is provided on a systematic basis; and a statement by the supervising licensed speech-language pathologist or supervising licensed audiologist acknowledging willingness to provide on-the-job training and acceptance of the legal and ethical responsibilities of supervising the applicant applying for registration to practice as an aide;

(E) Verification of licensure, registration and/or certification to practice in other state(s) or territories shall be submitted to the board directly from the issuing agency, documenting their record of the applicant, if applicable; and

(F) All applicants shall present with the application a recent, unmounted, identifiable photograph not larger than three and one-half inches by five inches (3 1/2" × 5") nor smaller than two inches by three inches (2" × 3").

(3) The completed application, including all documents, supporting material(s) and official transcripts required by the board, must be received at least thirty (30) days before the next regularly scheduled commission meeting. Applications completed fewer than thirty (30) days before the next regularly scheduled meeting may be scheduled for the following regularly scheduled meeting.

(4) Following the commission and board's review, the applicant will be informed by letter either that the application has been approved or that it has been rejected. Any rejection letter will outline, with as much specificity as practicable, the reasons for rejection.

*AUTHORITY: sections 345.015 and 345.030, RSMo Supp. 1999. Original rule filed April 2, 1992, effective Dec. 3, 1992. Rescinded and readopted: Filed Jan. 28, 2000.*

*PUBLIC COST: This proposed rule is estimated at \$9,478 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 10% in applicants and estimates the total annual cost will be \$947.80 for the life of the rule. It is anticipated that the total annual cost will recur each year for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*PRIVATE COST: The private entity cost for this proposed rule is estimated at \$9,616.00 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 10% in applicants and estimates the total annual cost will be*

*\$961.60 for the life of the rule. It is anticipated that the total annual cost will recur each year for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*NOTICE TO SUBMITS COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Healing Arts—Advisory Commission for Speech-Language Pathologists and Audiologists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

FISCAL NOTE  
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 4 - Department of Economic Development  
 Division: 150 - Professional Registration/State Board of Registration for the Healing Arts  
 Chapter: 4 - Licensing of Speech-Language Pathologists and Audiologists  
 Type of Rulemaking: Proposed Rule  
 Rule Number and Name: 4 CSR 150-4.120 Procedural Process for Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance	
State Board of Registration for the Healing Arts	Estimated Cost of Compliance for First Year of Implementation of the Rule	\$9,478.00
	Estimated Annual Cost of Compliance for the Life of the Rule	\$947.80

III. WORKSHEET

Expenditure of Money or Reduction in Income

CLASSIFICATION	FEE AMOUNT	NUMBER IN CLASS	AGGREGATE COST
Application Printing Cost	\$3.26	200	\$652.00
Statute, Rules and Regulation Printing Cost	\$.50	200	\$100.00
License Printing Cost	\$.11	200	\$22.00
Application Mailing	\$1.70	200	\$340.00
Correspondence Mailing	\$.33	200	\$66.00
License Mailing	\$.29	200	\$58.00
<b>Total:</b>			<b>1,238.00</b>

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFITS	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Licensure Technician II	\$25,188.00	\$32,925.75	\$15.83	.26	1.5 hours	\$23.40	\$4,680.00
Director of Operations	\$31,932.00	\$41,741.51	\$20.07	.33	10 minutes	\$3.30	\$660.00
Executive Director	\$58,215.36	\$76,099.12	\$36.59	.61	15 minutes	\$9.15	\$1,830.00
Account Clerk II	\$21,522.00	\$28,133.56	\$13.53	.23	10 minutes	\$2.30	\$460.00
Clerk IV	\$24,684.00	\$32,266.92	\$15.51	.26	3 minutes	\$.78	\$156.00
<b>Total:</b>						<b>\$7,786.00</b>	

The above staff salaries were calculated using the following formula:  
 Employee's salaries were calculated using their annual salary multiplied by 30.72% for fringe benefits and then was divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications for registration. The total cost was based on the cost per application multiplied by the estimated 200 applications.

It is estimated that approximately ten (10) applicants out of the total estimated two hundred (200) applicants may be assigned for investigative review. It is further estimated that if an investigative review is assigned an investigator will devote approximately two (2) hours investigating the applicant and/or situation, collecting the necessary documents and preparing an investigative report for the board's review. This would also include approximately thirty (30) minutes of a Clerk Stenographer II to assemble this information for board review, copy the report to the board, log the investigative in the computer system, etc.

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFITS	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Investigator	\$31,344.00	\$40,972.88	\$19.70	.33	2 hours	\$39.40	\$394.00
Clerk Stenographer II	\$19,260.00	\$25,176.67	\$12.10	.20	30 minutes	\$6.00	\$60.00
<b>Total:</b>							<b>\$454.00</b>

The above investigative staff salaries were calculated using the following formula:

Salaries of employees involved in the investigative process were calculated using their annual salary multiplied by 30.72% for fringe benefits and then was divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent investigating the applicant or the situations. The total cost was based on the cost per application multiplied by an estimated ten (10) applicants out of the total estimated two hundred (200) applicants that may be assigned for investigative review.

**GRAND TOTAL FOR FIRST YEAR OF IMPLEMENTATION OF THE RULE: \$9,478.00**

#### IV. ASSUMPTIONS

- It is estimated that the following staff time will be devoted on each application for registration and devoted to the following duties:

Licensure Technician II – 1.5 hours per application

Duties: telephone time devoted to applicants requesting licensure application forms, answering inquiries relative to the documents necessary for licensure, processing the application, corresponding to the applicant acknowledging receipt of the application and advising of lacking documentation, updating the file as documents are received, and reviewing the file for completion and review by the Director of Operations

Director of Operations – 10 minutes per application

Duties: review the file and supporting documentation for approval or directing the file for the review of the board.

Executive Director – 15 minutes per application

Duties: review applications directed to the board for review and approval. It is estimated that ten (200) out of the estimated two hundred (200) applications estimated to receive per year will require board review.

Account Clerk II – 10 minutes per application

Duties: enter fee as received and prepare a revenue transmittal, post the fee and reconcile the fee on a daily, monthly, and yearly basis

Clerk IV – 3 minutes per application

Duties: enter the fee on the daily fee log and disseminate the fee to the Licensure Supervisor.

- The board anticipates 200 individuals will apply for registration during the first year. The board estimates this registration process will cost the board approximately \$47.39 per application.
- The public entity cost for this proposed amendment is estimated to be \$9,478.00 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 10% in applicants and estimates the total annual cost will be \$947.80 for the life of the rule. It is anticipated that the total annual cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

**FISCAL NOTE  
PRIVATE ENTITY COST**

**I. RULE NUMBER**

**Title:** Department of Economic Development

**Division:** Division of Professional Registration/State Board of Registration for the Healing Arts

**Chapter:** 4 – Licensing of Speech-Language Pathologists and Audiologists

**Type of Rulemaking:** Proposed Rule

**Rule Number and Name:** 4 CSR 150-4.120 Procedural Process for Registration

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate cost of compliance
200	Individuals (application)	\$5,000.00
200	Individuals (notary)	\$500.00
200	Individuals (transcript)	\$2,000.00
200	Individuals (verification)	\$2,000.00
200	Individuals (postage)	\$66.00

**Estimated Cost of Compliance for the First Year of Implementation of the Rule** **\$9,616.00**

**Estimated Annual Cost of Compliance for the Life of the Rule** **\$961.60**

**III. WORKSHEET**

Application for Registration @ \$25.00.

Notary @ \$2.50

Copy of high school diploma @.25

Verification of licensure, registration and/or certification fee @ \$10.00

Birth certificate @ \$10.00

Postage @ \$.33

**IV. ASSUMPTIONS**

- The board anticipates 200 individuals will apply for registration during the first year. The board estimates this registration process will cost each applicant approximately \$48.08
- The private entity cost for this proposed amendment is estimated to be \$9,616.00 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 10% in applicants and estimates the total annual cost will be \$961.60 for the life of the rule. It is anticipated that the total annual cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 150—State Board of Registration for the  
Healing Arts**

**Chapter 4—Licensing of Speech-Language Pathologists  
and Audiologists**

**PROPOSED AMENDMENT**

**4 CSR 150-4.125 Display of Certificate.** The board is proposing to amend the original purpose statement and the terminology used in the text of the rule.

*PURPOSE:* This amendment deletes the word “clinical” as it precedes the word “audiology” in the original purpose statement; and amends the text of the rule changing the terminology to be consistent with amendments to Chapter 345, RSMo effective with the passage of House Bill 1601 of the 89th General Assembly.

*PURPOSE:* This rule details the requirements for displaying a speech-language pathology [/clinical] and/or audiology aide certificate of registration.

[A registrant] **Speech-language pathology and audiology aides** shall display the certificate issued by the State Board of Registration for the Healing Arts in a prominent place in [the primary] **each** location of practice.

*AUTHORITY:* sections 345.015, **345.030 and 345.065**, RSMo [1986] *Supp.* 1999. Original rule filed April 2, 1992, effective Dec. 3, 1992. Amended: Filed Jan. 28, 2000.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts—Advisory Commission for Speech-Language Pathologists and Audiologists, 3605 Missouri Boulevard, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 150—State Board of Registration for the  
Healing Arts**

**Chapter 4—Licensing of Speech-Language Pathologists  
and Audiologists**

**PROPOSED AMENDMENT**

**4 CSR 150-4.130 Renewal of Certificate of Registration.** The board is proposing to amend the original purpose statement and the text of the rule.

*PURPOSE:* This amendment deletes the word “clinical” as it precedes the word “audiology” and amends the text of the rule to be consistent with the amendments of Chapter 345, RSMo effective with the passage of House Bill 1601 of the 89th General Assembly.

*PURPOSE:* This rule details the process for renewing a speech-language pathology [/clinical] or audiology aide registration certificate.

Each registered speech-language pathology or [clinical] audiology aide shall [annually] **biennially** pay the nonrefundable fee for renewal of the certificate of registration. The executive director shall not consider a [license] **registration** to be renewed until the completed registration renewal form signed by the supervising [licensed] speech-language pathologist/[clinical] **and/or** audiologist and the renewal fee have been received by the State Board of Registration for the Healing Arts. [The registered speech-language pathologist/clinical audiologist shall furnish a signed statement on forms provided by the board regarding the performance of the aide. This must accompany the renewal form.]

*AUTHORITY:* sections 345.015, **345.030 and 345.051**, RSMo [1986] *Supp.* 1999. Original rule filed April 2, 1992, effective Dec. 3, 1992. Amended: Filed Jan. 28, 2000.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts—Advisory Commission for Speech-Language Pathologists and Audiologists, 3605 Missouri Boulevard, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 150—State Board of Registration for the  
Healing Arts**

**Chapter 4—Licensing of Speech-Language Pathologists  
and Audiologists**

**PROPOSED RULE**

**4 CSR 150-4.200 Definition of Uniform Functionally Based Proficiency Evaluation**

*PURPOSE:* This rule defines the Uniform Functionally Based Proficiency Evaluation as required by section 345.015(12)(c), RSMo.

The uniform functionally based proficiency evaluation required by section 345.015(12)(c), RSMo, shall be on a form provided by the board attesting to completion of educational requirements by the program director of the person’s educational program and completion of a jurisprudence examination.

*AUTHORITY:* sections 345.015 and 345.030, RSMo *Supp.* 1999. Original rule filed Jan. 28, 2000.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the State Board of Registration for the Healing Arts, P.O. Box 4, Jefferson City, MO 65102. To be considered, comments must be received

within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 150—State Board of Registration for the  
Healing Arts**

**Chapter 4—Licensing of Speech-Language Pathologists  
and Audiologists**

**PROPOSED RULE**

**4 CSR 150-4.201 Supervision Requirements**

*PURPOSE:* This rule details the supervision requirements for speech-language pathology assistants.

(1) All applications for registration to practice as a speech-language pathology assistant must include a statement from a speech-language pathologist holding current, unrestricted licensure to practice in the state of Missouri pursuant to section 345.015(10), RSMo, acknowledging acceptance of the legal and ethical responsibilities for supervising the assistant. A speech-language pathologist practicing with a provisional license pursuant to section 345.022, RSMo shall not be the supervisor for a speech-language pathology assistant.

(2) The supervising speech-language pathologist is responsible for the clinical activities of the assistant.

(3) The supervising speech-language pathologist has the responsibility of ensuring and protecting the interests of all patients and/or clients at all times during which the assistant is practicing and/or interacting with patients and/or clients; this responsibility includes the supervisor's and the assistant's compliance with the ethical standards of practice as specified in rule 4 CSR 150-4.080.

(4) The supervising speech-language pathologist shall ensure that the scope and intensity of the assistant's training encompasses all of the activities assigned to the assistant.

(5) The supervising speech-language pathologist shall provide the assistant with information specifying the assistant's role and function as well as specifying the role and function of the supervising speech-language pathologist.

(6) The supervising speech-language pathologist shall provide continuing opportunities to ensure that the speech-language pathology assistant's practices are current and skills are maintained.

(7) The supervising speech-language pathologist shall directly supervise the assistant's initial client contact. Thereafter, one (1) out of every five (5) sessions for each client shall be directly supervised. Direct supervision is defined as on-site, in view of the assistant and patient/client. After the first twelve (12) months of continued employment as a speech-language pathology assistant, the supervising speech-language pathologist must conduct a supervisory visit at least once every two (2) weeks with each patient who has been referred to the speech-language pathology assistant. If an alternative arrangement is necessary the supervising speech-language pathologist must submit a proposed plan of supervision for the review of the advisory commission and board to determine if the supervision plan is acceptable. All other client contacts shall be indirectly supervised. Indirect methods of supervision such as audio or videotape recording, telephone communication, numerical data, or other means of reporting may be utilized.

(8) The supervising speech-language pathologist must be available for the purpose of providing guidance and support to the assistant at all times, via telephone contact, facsimile, etc.

(9) The supervising speech-language pathologist shall review and sign all patient/client documented progress notes written by the speech-language pathology assistant.

(10) The supervising speech-language pathologist shall assign and the assistant shall accept only those duties and responsibilities for which the assistant has been specifically trained and is qualified to perform, pursuant to the judgement of the supervising speech-language pathologist, and in compliance with the provisions of Chapter 345, RSMo.

(11) The speech-language pathology assistant shall maintain supervisory logs and the speech-language pathologist shall sign verifying the hours of supervision per month, such logs shall be made available to the board within thirty (30) days upon receipt of a request for such log(s) from the board.

(12) The maximum number of speech-language pathology assistants supervised by one licensee shall not exceed two (2).

*AUTHORITY:* sections 345.015, 345.022 and 345.030, RSMo Supp. 1999. Original rule filed Jan. 28, 2000.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the State Board of Registration for the Healing Arts, P.O. Box 4, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 150—State Board of Registration for the  
Healing Arts**

**Chapter 4—Licensing of Speech-Language Pathologists  
and Audiologists**

**PROPOSED RULE**

**4 CSR 150-4.203 Scope of Practice**

*PURPOSE:* This rule details the scope of practice for speech-language pathology assistants.

(1) The supervising speech-language pathologist shall assign all duties of the speech-language pathology assistant.

(2) At the initial contact with the patient or client the speech-language pathology assistant shall identify themselves as a speech-language pathology assistant and explain that they do not act independently but under the direction and supervision of a licensed speech-language pathologist.

(3) The activities of a speech-language pathology assistant may include, but not be all-inclusive of the following:

(A) Conducting speech-language and hearing screenings without interpretation;

(B) Following documented treatment plans or protocols as developed by the supervising speech-language pathologist;

(C) Documenting patient and/or client progress toward meeting established objectives as specified in the treatment plan, with documentation review by the supervising speech-language pathologist;

(D) Reporting changes in a patient and/or client's performance and progress to the supervising speech-language pathologist;

(E) Assisting the supervising speech-language pathologist during the assessment of a patient and/or client;

(F) Reporting in conferences, team meetings, etc., as directed by the supervising speech-language pathologist;

(G) Scheduling activities, preparing charts, records, graphs or otherwise display data;

(H) Communicating with a patient and/or client, or a patient and/or client's family, staff, etc., regarding the patient and/or client status as directed by the supervising speech-language pathologist;

(I) Constructing or modifying clinical materials;

(J) Participating with the supervising speech-language pathologist in research projects, in-service training, public relation programs or similar activities;

(K) Any and all duties as specified to be within the scope of the speech-language pathology assistant, as provided in Chapter 345, RSMo.

(4) Speech-language pathology assistants shall not (this list is not intended to be all-inclusive)—

(A) Interpret screenings;

(B) Conduct and/or interpret evaluations;

(C) Make diagnostic statements;

(D) Determine case selections;

(E) Interpret observations and/or data;

(F) Refer a patient and/or client to other professionals, agencies or individuals for services;

(G) Write, develop or modify a patient and/or client's treatment plan;

(H) Assist with the treatment of a patient and/or client without following an individualized treatment plan prepared by the supervising speech-language pathologist;

(I) Discharge a patient and/or client from treatment;

(J) Provide counseling to a patient and/or client and/or the patient's and/or client's family;

(K) Perform any procedure for which the assistant is not qualified to perform, or has not been adequately trained to perform, or both;

(L) Disclose clinical or confidential information either orally or in writing to anyone not designated by the supervising speech-language pathologist;

(M) Present written reports to anyone other than the supervising speech-language pathologist, without the supervisor's signature and approval;

(N) Sign any formal documents without review, authorization and/or co-signature of the supervising speech-language pathologist;

(O) Use any title other than speech-language pathology assistant.

*AUTHORITY: sections 345.015 and 345.030, RSMo Supp. 1999. Original rule filed Jan. 28, 2000.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State*

*Board of Registration for the Healing Arts, P.O. Box 4, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

### **Division 150—State Board of Registration for the Healing Arts**

#### **Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

### **PROPOSED RULE**

#### **4 CSR 150-4.205 Procedural Process for Registration**

*PURPOSE: This rule details the registration process for speech-language pathology assistants.*

(1) Applications for registration must be made on forms prepared by the Advisory Commission for Speech-Language Pathologists and Audiologists. Application forms may be obtained by writing the executive secretary for the Advisory Commission for Speech-Language Pathologists and Audiologists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098.

(2) An application will not be considered as officially submitted unless completely filled out, properly attested and the application fee has been received by the board. The application fee must be submitted in the form of a cashier's check or money order payable to the Missouri Board of Healing Arts, drawn on a United States bank. The following documents are necessary to be filed with the board in order to deem the application complete:

(A) Prior to January 1, 2005, all applicants must furnish official transcripts from one or more accredited colleges or universities, confirming a bachelor's degree in speech-language pathology or an associate's degree as a speech-language pathology assistant. Such transcripts shall evidence completion of the coursework and clinical practicum requirements equivalent to that required by the Council on Academic Accreditation of the American Speech-Language and Hearing Association. Transcripts shall detail all coursework and clinical practicum hours and document the degree(s) awarded and area(s) of emphasis.

(B) On or after January 1, 2005, all applicants must furnish official transcripts confirming a minimum of an associate's degree as a speech-language pathology assistant from one or more accredited colleges or universities which present evidence of the completion of coursework and clinical practicum requirements equivalent to that required or approved by the Council of Academic Accreditation of the American Speech-Language and Hearing Association.

(C) All applicants shall furnish a statement from a speech-language pathologist holding current unrestricted licensure to practice in the state of Missouri pursuant to section 345.015(10), RSMo, acknowledging acceptance of the legal and ethical responsibilities for supervising the applicant.

(D) All applicants shall furnish evidence of successful completion of a uniform, functionally based proficiency evaluation provided by the board.

(E) Verification of licensure, registration and/or certification to practice in other state(s) or territories shall be submitted to the board directly from the issuing agency, documenting their record of the applicant, if applicable.

(F) All applicants shall present with the application a recent, unmounted, identifiable photograph not larger than three and one-half inches by five inches (3 1/2" × 5") nor smaller than two inches by three inches (2" × 3").

(3) During a registration year if there is a change in supervision, a new Supervisor Responsibility Statement must be completed by the new licensed supervisor and returned to the board. Without the completed statement on file, an assistant may not practice as an assistant until a current Supervisor Responsibility Statement is received by the board.

(4) The completed application, including all documents, supporting material(s) and official transcripts required by the commission, must be received at least thirty (30) days before the next regularly scheduled commission meeting. Applications completed fewer than thirty (30) days before the next regularly scheduled meeting may be scheduled for the following regularly scheduled meeting.

(5) Following the commission and board's review, the applicant will be informed by letter either that the application has been approved or that it has been rejected. Any rejection letter will outline, with as much specificity as practicable, the reasons for rejection.

*AUTHORITY: sections 345.015 and 345.030, RSMo Supp. 1999. Original rule filed Jan. 28, 2000.*

*PUBLIC COST: The public entity cost for this proposed rule is estimated at \$9,478 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 10% in applicants and estimates the total annual cost will be \$947.80 for the life of the rule. It is anticipated that the total annual cost will recur each year for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*PRIVATE COST: The private entity cost for this proposed rule is estimated at \$9,566 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 10% in applicants and estimates the total annual cost will be \$956.60 for the life of the rule. It is anticipated that the total annual cost will recur each year for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Board of Registration for the Healing Arts, P.O. Box 4, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

FISCAL NOTE  
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 4 - Department of Economic Development  
 Division: 150 - Professional Registration/State Board of Registration for the Healing Arts  
 Chapter: 4 - Licensing of Speech-Language Pathologists and Audiologists  
 Type of Rulemaking: Proposed Rule  
 Rule Number and Name: 4 CSR 150-4.205 Procedural Process for Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision

Estimated Cost of Compliance

State Board of Registration for the Healing Arts      Estimated Cost of Compliance for First Year of Implementation of the Rule      \$9,478.00  
 Estimated Annual Cost of Compliance for the Life of the Rule      \$947.80

III. WORKSHEET

Expenditure of Money or Reduction in Income

CLASSIFICATION	FEE AMOUNT	NUMBER IN CLASS	AGGREGATE COST
Application Printing Cost	\$3.26	200	\$652.00
Statute, Rules and Regulation Printing Cost	\$5.50	200	\$100.00
License Printing Cost	\$1.11	200	\$22.00
Application Mailing	\$1.70	200	\$340.00
Correspondence Mailing	\$3.33	200	\$66.00
License Mailing	\$2.92	200	\$58.00
<b>Total:</b>			<b>1,238.00</b>

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFITS	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Licensure Technician II	\$25,188.00	\$32,925.75	\$15.83	.26	1.5 hours	\$23.40	\$4,680.00
Director of Operations	\$31,932.00	\$41,741.51	\$20.07	.33	10 minutes	\$3.30	\$660.00
Executive Director	\$58,215.36	\$76,099.12	\$36.59	.61	15 minutes	\$9.15	\$1,830.00
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<b>Total:</b>							<b>\$7,786.00</b>

The above staff salaries were calculated using the following formula:

Employee's salaries were calculated using their annual salary multiplied by 30.72% for fringe benefits and then was divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications for registration. The total cost was based on the cost per application multiplied by the estimated 200 applications.

It is estimated that approximately ten (10) applicants out of the total estimated two hundred (200) applicants may be assigned for investigative review. It is further estimated that if an investigative review is assigned an investigator will devote approximately two (2) hours investigating the applicant and/or situation, collecting the necessary documents and preparing an investigative report for the board's review. This would also include approximately thirty (30) minutes of a Clerk Stenographer II to assemble this information for board review, copy the report to the board, log the investigative in the computer system, etc.

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFITS	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Investigator	\$31,344.00	\$40,972.88	\$19.70	.33	2 hours	\$39.40	\$394.00
Clerk Stenographer II	\$19,260.00	\$25,176.67	\$12.10	.20	30 minutes	\$6.00	\$60.00
<b>Total:</b>							<b>\$454.00</b>

The above investigative staff salaries were calculated using the following formula:  
Salaries of employees involved in the investigative process were calculated using their annual salary multiplied by 30.72% for fringe benefits and then was divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent investigating the applicant or the situations. The total cost was based on the cost per application multiplied by an estimated ten (10) applicants out of the total estimated two hundred (200) applicants that may be assigned for investigative review.

**GRAND TOTAL FOR FIRST YEAR OF IMPLEMENTATION OF THE RULE: \$9,478.00**

**IV. ASSUMPTIONS**

- It is estimated that the following staff time will be devoted on each application for registration and devoted to the following duties:

Licensure Technician II – 1.5 hours per application

Duties: telephone time devoted to applicants requesting licensure application forms, answering inquiries relative to the documents necessary for licensure, processing the application, corresponding to the applicant acknowledging receipt of the application and advising of lacking documentation, updating the file as documents are received, and reviewing the file for completion and review by the Director of Operations

Director of Operations – 10 minutes per application

Duties: review the file and supporting documentation for approval or directing the file for the review of the board.

Executive Director – 15 minutes per application

Duties: review applications directed to the board for review and approval. It is estimated that ten (200) out of the estimated two hundred (200) applications estimated to receive per year will require board review.

Account Clerk II – 10 minutes per application

Duties: enter fee as received and prepare a revenue transmittal, post the fee and reconcile the fee on a daily, monthly, and yearly basis

Clerk IV – 3 minutes per application

Duties: enter the fee on the daily fee log and disseminate the fee to the Licensure Supervisor.

- The board anticipates 200 individuals will apply for registration during the first year. The board estimates this registration process will cost the board approximately \$47.39 per application.
- The public entity cost for this proposed amendment is estimated to be \$9,478.00 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 10% in applicants and estimates the total annual cost will be \$947.80 for the life of the rule. It is anticipated that the total annual cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

**FISCAL NOTE  
PRIVATE ENTITY COST**

**I. RULE NUMBER**

**Title:** Department of Economic Development  
**Division:** Division of Professional Registration/State Board of Registration for the Healing Arts  
**Chapter:** 4 – Licensing of Speech-Language Pathologists and Audiologists  
**Type of Rulemaking:** Proposed Rule  
**Rule Number and Name:** 4 CSR 150-4.205 Procedural Process for Registration

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate cost of compliance
200	Individuals (application)	\$5,000.00
200	Individuals (notary)	\$500.00
200	Individuals (transcript)	\$2,000.00
200	Individuals (verification)	\$2,000.00
200	Individuals (postage)	\$66.00

**Estimated Cost of Compliance for the First Year of Implementation of the Rule** **\$9,566.00**

**Estimated Annual Cost of Compliance for the Life of the Rule** **\$956.60**

**III. WORKSHEET**

Application for Registration @ \$25.00.  
 Notary @ \$2.50  
 Transcript fee @ \$10.00  
 Verification of licensure, registration and/or certification fee @ \$10.00  
 Postage @ \$.33

**IV. ASSUMPTIONS**

- The board anticipates 200 individuals will apply for registration during the first year. The board estimates this registration process will cost each applicant approximately \$47.83
- The private entity cost for this proposed amendment is estimated to be \$9,566.00 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 10% in applicants and estimates the total annual cost will be \$956.60 for the life of the rule. It is anticipated that the total annual cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.